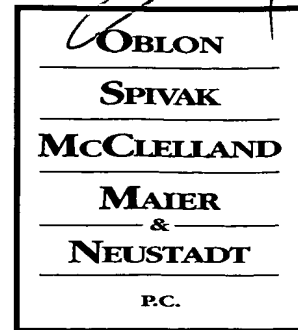




Corres. and Mail  
**BOX AF**

Docket No.: 218125US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/044,956  
Applicants: Keiji NAKAYAMA, et al.  
Filing Date: January 15, 2002  
For: METHOD OF AND APPARATUS FOR MEASURING  
AND EVALUATING MATERIAL STRENGTH BY  
DETECTING CHARGED PARTICLES  
Group Art Unit: 2855  
Examiner: ALLEN, A.

"RESPONSE UNDER 37 CFR 1.116-  
EXPEDITED PROCEDURE EXAMINING  
GROUP 2855"

SIR:

Attached hereto for filing are the following papers:

**NOTICE OF APPEAL**  
**REQUEST FOR EXTENSION OF TIME**  
**REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116**

Our check in the amount of \$1,280.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Gregory J. Maier

Registration No. 25,599

Philip J. Hoffmann  
Registration No. 46,340

Customer Number

**22850**

(703) 413-3000 (phone)  
(703) 413-2220 (fax)  
I:\ATTY\PH\218125\CVR LTR 011604.DOC

RECEIVED  
JAN 22 2004  
TECHNOLOGY CENTER 2800

Docket No. 218125US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Keiji NAKAYAMA, et al.

GAU: 2855

SERIAL NO: 10/044,956

EXAMINER: ALLEN, A.

FILED: January 15, 2002

FOR: METHOD OF AND APPARATUS FOR MEASURING AND EVALUATING MATERIAL STRENGTH  
BY DETECTING CHARGED PARTICLES

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

"RESPONSE UNDER 37 CFR 1.116-  
EXPEDITED PROCEDURE EXAMINING  
GROUP 2855"

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated July 16, 2003.

The items checked below are appropriate:

☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for \_\_\_\_\_ months.

☒ A timely response to the final rejection is filed herewith, as provided in 841 O.G. 1411.

☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.

Fee: \$330.00

☐ Applicant claims small entity status. See 37 CFR 1.27.

☒ A check is Enclosed

☐ A credit card payment form is enclosed

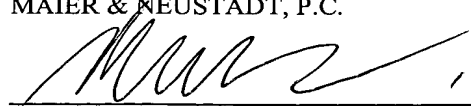
☐ Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).

☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Gregory J. Maier

Registration No. 25,599

Philip J. Hoffmann

Registration No. 46,340

01/20/2004 3DIRETA1 00000071 10044956

01 FC:1401

330.00 0P

Customer Number

22850

Tel. (703) 413-3000

Fax. (703) 413-2220

(OSMMN 05/03)

I:\ATTY\PH\218125\NOA 011604.DOC

RECEIVED  
JAN 22 2004  
TECHNOLOGY CENTER 2800